

BOARD OF MADISON COUNTY COMMISSIONERS
January 23, 2007 MINUTES

On Tuesday, January 23, 2007, a meeting of the Board of Madison County Commissioners came to order at 10:00 AM with Commissioners David Schulz and Jim Hart present. Commissioner Lewis Stahl was absent due to medical reasons.

Jim Hart moved to approve the January 9, 2007, minutes with corrections. David Schulz seconded the motion. All voted aye and the motion carried.

Those people in attendance at the meeting were Doris Fischer, Jessi Fanelli, Dave Hajny, Brandy Hilton, Chris Christensen, Shelly Burke, Peggy Kaatz, Dave Schenk, Amy Donovan, Shane Escott, Mary Oliver, Rich Hewitt, Paul Kimball, Sam Korsmoe, Staci Beecher, and Barbie Durham.

Cowboy Heaven, Phase 3C, Area 3, Final Plat: Doris Fischer, Planner, and Jessi Fanelli, Moonlight Basin Ranch, presented the Board with the final plat of Cowboy Heaven, Phase 3-C, Area 3. This subdivision will create both single family residential and condominium units with open space designated. Doris indicated that all plat approval conditions have been met. Per recommendation of the Planner, Jim Hart moved to approve the final plat of Cowboy Heaven Planned Unit Development, Phase 3C, Area C, Moonlight Basin Ranch, but that it not be recorded until the architect's certification that will be inserted into the Alpine Meadows Condominium document and a copy of the letter to DEQ, providing a revised final plat for DEQ records, have been received. David Schulz seconded the motion. All voted aye and the motion carried.

Long Minor Subdivision Final Plat: Doris Fischer, Planner, presented the Board with the final plat of Long Minor Subdivision in Yellowstone Mountain Club Subdivision, Phases 1 & 2. Doris explained that this lot was originally approved, later split, and the new owner is now wanting it back together. Doris stated that all conditions have been met and this subdivision is ready to be recorded. Per recommendation of the Planner, Jim Hart moved to approve the final plat of Long Minor Subdivision in Yellowstone Mountain Club Subdivision, Phases 1 & 2. David Schulz seconded the motion. All voted aye and the motion carried.

Moore's Creek RID: Dave Hajny, Landowner, and Brandy Hilton, Department of Revenue, met with the Board to discuss a parcel of land that is being transferred from Stores Bishop to Dave Hajny. This parcel is a part of Moore's Creek RID. The RID fees for this property will be assumed by the buyer. Brandy Hilton questioned who would be responsible for RID maintenance fees or if both owners would be responsible. Although Stores Bishop may no longer have property in the actual RID, he will access property he still owns using the road maintained by the RID. Jim Hart will talk to both landowners and draft a resolution regarding who will be responsible for RID fees and maintenance fees.

Opinion on Subdivisions: Chris Christensen, County Attorney, Peggy Kaatz, Clerk and Recorder, Shelly Burke, Treasurer, and Doris Fischer, Planner, met with the Board to discuss three surveys that were submitted to the Clerk and Recorder's Office for filing. The first survey divided one large piece of land into two parcels, both over 160 acres. This survey has been recorded. The two subsequent surveys divided each of the two parcels again, leaving one parcel over 160 acres and one smaller remainder on each survey. Those present agreed that this is an obvious attempt to divide land to sell without going through the subdivision process. Peggy will reject the two subsequent surveys and send a letter of rejection to the subdivider and copy the Planner, County Attorney, and County Commissioners.

Shelly Burke also discussed a piece of property that is delinquent on taxes. Several people have taken assignment on the property at various times but don't continue the process because of the liability issue of a bridge on the property that is falling into the river.

Junk Vehicle Issues: Chris Christensen, County Attorney, and the Board discussed junk vehicle issues.

Public Discussion: Dave Schenk, Sheriff, stopped in at the meeting to discuss road issues.

Grants: Amy Donovan, Victims Witness Advocate, presented the Board with a grant application for the continuation of her program for the next fiscal year. Jim Hart moved to approve the Victim Witness Advocacy Program Subgrant Application from the Montana Board of Crime Control for the period beginning July 1, 2007, and ending June 30, 2008, and to approve a letter of support for the program. David Schulz seconded the motion. All voted aye and the motion carried.

Public Discussion: Shane Escott, Foreman, Road District 2, met with the Board to share information from a meeting he attended regarding the Old Milwaukee Railroad Bridge near Cardwell that is in immediate danger of dropping into the Jefferson River.

Mary Oliver of Ennis was present for the remainder of the meeting.

Financial Guarantee for Spanish Peaks Resort: Doris Fischer, Planner, met with the Board to discuss a Site Improvement Bond from Spanish Peaks Resort. The bond is being used to replace an existing Letter of Credit that is about to expire. There was a miscalculation in figuring the total amount of the new bond, taking into account public works improvements that have been completed. Doris recommended that the Board accept the bond as presented and trust that another bond would be coming for the remaining amount. As recommended by the Planner, Jim Hart moved to accept the Site Improvement Bond #104575359 issued by Travelers Casualty and Surety Company of America, in the amount of \$548,890, for improvements at Phase II, Elkridge and Skitip Roads, Spanish Peaks Resort in Big Sky, Montana, with the understanding that Spanish Peaks Resort will provide evidence of a willing lender for an additional bond in the amount of \$587,305.80 by January 30, 2007, and will rewrite the Subdivision Improvements Agreement to acknowledge both bonds. David Schulz seconded the motion. All voted aye and the motion carried.

Wind Farm Project: Rich Hewitt, Ennis, and Paul Kimball, Sagebrush Energy, met with the Board to discuss a proposal for a wind energy project near Norris, Montana. Sam Korsmoe, Madison County Economic Development Council, Doris Fischer, Planner, Staci Beecher, Planner 1, Mary Oliver, and Dave Hajny were also present for this portion of the meeting. Paul Kimball gave background information about himself and his partner, Ben Ellis. Paul discussed the advantages of wind energy as opposed to other energy sources. Paul stated that his company's intentions are to create a 10 turbine wind energy project on 600-1000 acres near the Norris Hill and to contract 10,000 acres of canola production to generate the wind project with the intention of providing energy to the Bozeman area. Paul stated that he will keep the Board informed as the project progresses and will apply for the necessary permits as needed.

Claims: The Board continued claims to Friday, January 27, 2007.

Grants: Barbie Durham, Grant Writer, met with the Board to discuss grant projects that she is working on. Barbie stated that there is a CDBG training in Billings on March 15th and 16th that she would like to attend. The Board agreed that this training would be beneficial.

Airports: Jim Hart moved to approve the Certificate of Substantial Completion for Ennis Airport Improvements, Snow Removal Equipment building, AIP 3-30-0090-009-2006, constructed by Richardson Building and Design of Ennis, Montana. David Schulz seconded the motion. All voted aye and the motion carried.

Schoolhouse Repairs: The Board discussed bids for the proposed repairs to the old schoolhouse in Virginia City. The Board tabled this portion of the meeting to see if any additional bids are received.

Twin Bridges Fuel Site: Jim Hart moved to approve the memory upgrade, software and installation/travel for the County's PetroVend System 2 enabling it to accept the Comdata MasterCard, at the cost of \$2,294.00, for the Twin Bridges fuel site and to approve a PetroVend PV271 board replacement at an additional cost of \$683.00, if it is determined that a new board is needed. David Schulz seconded the motion. All voted aye and the motion carried.

DES Payroll Authorization: Jim Hart moved to approve the Payroll Authorization Form from the Montana Disaster and Emergency Services Division for the Emergency Management Assistance Grant Program authorizing the salary of Christopher W. Mumme, Director of Emergency Management, beginning December 18, 2006. David Schulz seconded the motion. All voted aye and the motion carried.

Fire District Boards: Jim Hart moved to accept the letter of resignation of Dave Hajny from the Madison Valley Rural Fire Department and to advertise the position. David Schulz seconded the motion. All voted aye and the motion carried.

Hollow Contracting Surety Letter: The Board discussed a Contract Status Inquiry form from Western Surety Company regarding road work to be completed by Hollow Contracting. Jim Hart will check the status of the road improvements before completing and returning the form.

Sheridan Youth Center Support Letter: The Board received a request to support a Youth Center in Sheridan. The Board is willing to support a youth center as long as it would be available for use by all youths regardless of religious affiliation. Jim Hart suggested that the organizers of the Sheridan youth center contact the Ennis youth center, which has been run successfully for several years.

Commissioner Liaison to County Boards: The Board discussed which commissioner would be the liaison to each of several County boards. The Board will wait until all three commissioners are available to make a determination as to which board meetings each would prefer to attend.

Public Discussion: Mary Oliver, Heritage Commission, asked about the status of the Virginia City dumpster site lease.

With no further business the meeting adjourned at 5:30 PM.

Friday, January 27, 2007:

Claims: The Board approved claims.

David Schulz, Chairman
Board of Madison County Commissioners

Date Approved: February 6, 2007

Minutes prepared by:

Laurie Buyan, Administrative Assistant

Peggy Kaatz, Clerk and Recorder, Madison County